TOWN OF PLATTEKIL

PLANNING BOARD

*P.O. BOX 45*

MODENA, N.Y. 12548

Minutes of: January 28, 2025

THE MEETING OPENED WITH A SALUTE TO THE FLAG BY CHAIRPERSON, RICHARD GORRES

ROLL CALL: CHAIRMAN: RICHARD GORRES, ERNIE VANDERMARK, DARLENE EISENHARDT, NATHANIEL BAUM

EXCUSED ABSCENSE: RICH DMYTRY

**OLD BUSINESS:**

*KO Holdings, LLC SBL# 94.20-3-18*

*1592 Route 44-55 Proposed: Liquor Store*

Mr. Acampora: I have a little up-date on the light industrial it was Arron Kembel who was supposed to rent the place. I told him this process might take a little bit longer than we anticipated. He said if he can’t get in by the 4th he backed out. We were going to ask about possible uses to coincide….

Mr. Gorres: You mean like another store. You have the liquor store on one side and some other kind on the other side.

Mr. Acampora: Right. He was doing something that was not open to the public, it was just a workshop.

Mr. Gorres: Right, like seamstress type of work

Mr. Acampora: Yeah, clothing and does movie props.

Frank Villano, Consulting Engineer: Members of the board, I am Frank Villano. Joe brought me on when he purchased the property. We did update the site plan to show the parking. I just received the engineers’ comments and in light of what we want to do now as far as it’s kind of uncertain on the light industrial but the liquor store is still part of the plan.

On the smaller side there are two residential units total in the building; one is on the second floor one is in the back.

Fredrico Crispino: Wait a minute wait a minute that’s not supposed to be on that job. The liquor store and apartment? Where did this come from?

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Mr. Hines: This is not a public hearing sir.

Mr. Crispino: It does not matter. I’m following the first amendment. Now he wants to change the prints. That’s not part of the deal.

Mr. Gorres: Sir, this is not a public hearing. I know you know.

Mr. Crispino: Is that what he is asking for yes or no? I’m asking a question. What are you afraid of? I’m asking a question.

Mr. Hines: There will be a public hearing in the future of the process. The process is they come in front of us for an initial application then we will address the application and then at some point there will be a public hearing; I believe. Maybe not I will leave that up to the board. Its not a special use I don’t believe.

Mr. Gorres: No that’s is in a business district.

Mr. Hines: Correct.

Mr. Villano: Getting back on track we are in the BD-40 zone and there is an existing non-conforming for the front yard setback. We do have as well the garage that sits here 2.3 ft. hoping that is not an issue at this point. The garage is going to be refurbished just to be more presentable. The parking the handicap that is in your comments has to be paved. I had it as gravel, the overall intent is going to be asphalt millings compacted. Not a formal drive parking service but definitely dust free and will be down to these limits here; it will allow for turning. We have in access to the required parking stalls. All this would all be considered paved area with millings. As far as the buffer areas, its existing brush it’s kinda light on this side and we will add some trees to complement thee. There is a neighboring area here as well as over here that have dwellings, we will screen that from the neighbors.

As far as septic there is one gray water tank over here and two septic tanks. This one is thousand gallons, this one twelve fifty and I think this one is five hundred. I have not gotten the complete volume on the gray water one yet. The well is existing. I believe its over here we have to double check on that one.

Mr. VanDeMark: What’s there for a leach field?

Mr. Acampora: They don’t have anything on file here, so I have to contact the Board of Health to see if they have any on file it has been so many years.

Mr. Gorres: Yah it’s been a long time.

Mr. Acampora: I think the two back tanks are newer. I went underneath to see the plumbing. The original structure is the first building. On the left side it is a core structure.

Mr. Gorres: They added onto the back?
Mr. Acampora: Yes, that was years ago.

Mr. Villano: So, I am kinda familiar with the project since Joe acquired it. I have made several inspections of it. We did not have the wettest season but there wasn’t any break through, no smells or problems with the odder. So that’s the best estimate that we have at this point because the lack of information trying to get a little more information as far as the leach field.

Mr. Acampora: There was also a swimming pool in the back that I filled in. It was a huge swimming pool that we filled in, in the back.

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Ms. Eisenhardt: Is there anyone living in those apartments now?

Mr. Acampora: The one back the apartment is rented.

Ms. Eisenhardt: That is rented, ok.

Mr. Hines: Both apartments are existing?
Mr. Acampora: Yes. I think the first building…

Mr. Gorres: Was owner occupied.

Mr. Acampora: The block building then it was added onto.

Ms. Eisenhardt: Does this application here need to be amended where it says part-lit Industrial crafts (not open to the public) since you are not doing that now?

Mr. Acampora: Yeah, he’s backing out now so I didn’t know if I do get it done the possible person who rents what is the allowed use.

Mr. Hines: I would suggest you have your consultant come up with several of the uses that could be approved under the scope of this project, that would fit in that building. We can look at those it will give you more flexible options should you get a tenant. Not having to come back if it fits into the criteria of those couple uses it will be there. It is located on a state highway so we do need to send it to DOT. They may come back with some comments about the access being wide open like it is.

Mr. Villano: There are two curb cuts here and one here, and this one here. The site distance up here is not the greatest. That is just an existing condition we do not have much control over. We cleaned that brush up to the property line as best as they could.

Mr. Villano: Do you have a contact that I can send over to the DOT?

Mr. Hines: We can. It is unusual because it is a Type II Action. As a change of use so there is not a SEQR review but I can work with you and give you the name of who is responsible for DOT here.

Mr. Villano: That would be great.

Mr. Hines: As we were talking of the review of special uses and would eventually be a requirement eventually for a public hearing.

Just to answer that there will be a Public Hearing in the future required.

Mr. Crispino: Thank you.

Mr. Hines: We touched on the water supply, sewer, state highway, existing non-conforming use that are existing and are changing they are protected still. The excisable parking needs to be paved. You just mentioned the parking lot is going to be covered with recycled asphalt product.

Mr. Villano: I will revise the drawings.

Mr. Hines: Hydraulic will be for the septic system should be calculated 4 gallons per day per square ft. or something there.

Mr. Gorres: If you want to call the County and ask for Chris Kressler, he is the sanitary guy. See if they have any maps with information on them. It will get sent there for their opinion.

Mr. Villano: Of course.

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*Newburgh Fuel Distributors, Inc. SBL# 107.8-6-1.1 & 1.22*

*16 & 18 Plattekill – Ardonia Road Proposed: Gas Station & Mini Mart*

Mr. John Furst, Attorney with Catana, Mahon & Riser and I represent the applicant and Mike Morgante, Civil Engineer. This is for a Special Use Site Plan for a Gas Station and Convenience Store. Just a reminder procedurally the public hearing was held and closed in November of 2023. The board had considered this a Type II action under the SEQR. It is less than the 4000 sq ft. it’s a very small building. We did receive county comments in February 2024. The last time we appeared in front of you guys was in February of 2024. Since then, Mike has been working with the outside agency’s addressing the Planning Board comments; as well as progressing through the other comments and permits required from the outside agencies. We would like to kinda move forward and obtain Conditional Approval obviously the conditions would be obtaining and finalizing the outside agencies approvals. So, I will have Mike give you an update as far as where he is at with the various outside agencies.

Mr. Morgante: A lot of what we did was, as John has mentioned, is worked through stuff with the outside agencies. We have compiled a response letter that addresses, back to one of Pat’s comment letters,….

Mr. Hines: Back to October 2023.

Mr. Morgante: So, we compiled everything into one spot. It is easier for everyone to see it. We have gone back through and answered Pat’s questions. We have gone through and responded to Public Hearing questions, provided correspondence from DOT, it is a pretty comprehensive response letter. It gives everyone I think a written update where we are in the project. At this point we feel as though we have addressed comments with the Planning Board. We are still working through with the Department of Health, there does not seem to be any issues other than they are there very busy and understaffed.

Mr. Gorres: Yes, we have heard that before.

Mr. Morgante: I spoke to the director of that department and he assured me I would hear something after the holidays and I still have not heard anything.

Mr. Gorres: You are not alone.

Mr. Morgante: I will continue but I will tell you this, soil testing for the septic system has been witnessed by their department. I did get some comments back from them, I think it is in the response letter there in April, there is no indication that this will not be approved. It works from a design standpoint; it works from the soil testing that was witnessed by the department. So, we anticipate being able to get an approval from them. It was recommended we submit this to the DOT because the proximity of 32. We have done that. We have gotten some comments back from them we have made a resubmittal to DOT. I have provided a traffic study. The town is more than welcome to look at and review, we have provided it more so for the DPW, Ulster County DOT of NYS. There is nothing sight distance limited, nothing critically limited, the only issue is a little bit. Town is welcome to look at and review, we probably provided it more for the DPW and the Ulster County of NYS. There is no limited site distance here; nothing that is critically limited. The only issue here, a little bit, it’s over here looking up on Huckleberry Tpke there is Kressler Road; kinda limits your site distance. Remember this spot is site controlled. So, we are pretty close for site distance; on the traffic impact study we are a slightly short. We

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could put signs up saying intersection approaching but those signs already exist in some spots the traffic engineer was saying. Because it is spot controlled, he is not sure what it would actually do for the project.

We provided a little drainage analysis for the DOT because there were some questions. There is a pipe in this area and a little drainage ditch on this side of County RT 13 on this side. They want us to look at so I looked at the entire water shed. Took a look at how much water was coming to this location. Not just from us but from everything and it appears the existing piping there is adequate to pass any flows are associated in sewer vents.

During the Public Hearing there were some concerns of this contributing flow to the Post Office area, but I will tell yah that pretty much almost all of our flows are coming this way and across to the spot over here (shown on the map). So, I have actually moved impervious drainage from going towards the post office. I’m not telling you we are fixing the problems; I’m telling you we are not making them worse.

Mr. Gorres: Yeah, you really can’t do much down there it’s a tough area to work with.

Mr. Morgante: As my understanding as well.

So, these are just some of the things we have looked at and the DOT and their correspondence they have provided to date so far there are no show stoppers in there.

I would say the site distance you see right here (pointing to the map) of 85 feet is to the actual intersection.

Probably looking from the intersection down have probably over 1000 ft site distance. You can see pretty far.

That’s our update with the Health Department.

I expect to receive approval from the Health Department; I could not tell you when simply because they are hard to get ahold of.

DOT we expect to hear back from them pretty soon. We did respond to all of their questions and comments. We feel we responded adequately so we feel there will be no issues with their review. We don’t need a permit from them. We just are having them review this at the request of the Planning Board.

Ulster Department of Planning we did get correspondence back from them a while back and I did give a copy to the town. It brought us a schedule A with the conditions of approval. I can resend that to the town if you would like to see that information as well.

We can contact SHIPO. I think I met the intent of what they were looking for. We will send correspondence to them.

Mr. Gorres: Cemetery

Mr. Morgante: Yes.

Mr. Hines: SHIPO prevue comment for Construction protection plan along with cemetery boundary to make sure it didn’t encroach.

Mr. Morgante: I really feel though we have pretty much addressed everything we are well down the road in dealing with the outside agencies. So, I think Mr. Furst noted we would like the board for potential consider motion for some type of commission of final approval for the project.

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Mr. Gorres: How many outstanding uses are we waiting for? I have counted two so far.

Mr. Hines: As I have said, County DPW, DOT, they are in my comments, County Health Department. I don’t know if we have heard from Bob Wager completely on this yet regarding the sidewalks and address yet.

Mr. Morgante: Every time I speak to him; he wants to speak to you.

Mr. Hines: I can follow up with that as well.

There is office dedication through the Town of Plattekill for the Highway purposes and certain portions of frontages of the curb there. That will need the Town Attorney and Town Board approval.

Mr. Gorres: Oh yeah, you are going to move the building this way a little bit?

Mr. Morgante: Yes

You guys wanted me to show some sidewalks.

Mr. Hines: Yes. They are required in the BD zone.

Mr. Morgante: I put them along the frontage of the property and we connect now….. (cut off by Mr. Hines)

Mr. Hines: DOT commented to connect them (cut off)

Mr. Morgante: Yes, and we did that.

Mr. Gorres: Oh, up to thee….

Mr. Morgante: The Dollar General.

It’s been a while but we have worked through most of everything.

Mr. Gorres: Yeah, that fine.

Mr. Furst: The office of dedication that could just be a Condition Approval.

Mr. Hines: Yeah, I think we are just going through potential conditions for the board.

Mr. Gorres: Yeah, we just need to make a list.

Mr. Hines: Typically, we will require security for sidewalks and off-site improvement and that will be a condition as well.

Mr. Gorres: Yeah, we will need all that.

Mr. Morgante: You will probably want cost estimates for what is upcoming and we will do all that.

Mr. Hines: The project has disturbed less than an acre in total so it doesn’t need a Storm Water Permit from the DEC or the Town. It’s a redevelopment site.

Mr. Morgante: We did provide water quality treatment, so we did take care of some stuff.

Mr. Gorres: You have a list there of what they are supposed to do right.

Mr. Hines: Each of these items that we picked, Mr. Morgante just discussed are outlined in the comments and will be adopted as part of the Conditional Final Approval as long with …..

Mr. VanDeMark: County DPW right.

Mr. Gorres: This list here we can read them right off Pats list here.

Mr. Hines: Health Department, SHIPO needs to sign off, approval from County DPW, the Highway Superintendent and I will coordinate with him on that.

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DOT sign off on the actions there they had some comments on the grade across from Rt. 32, eventually.

Ulster County Health Department we have talked about the septic.

The offer of dedication the board previously reviewed and architectural and security for the offsite improvements and the sidewalks should also be required.

It is a Type II action as the attorney said it is less than 4,000 square feet so there is no need for any SEQR action on that we declared that early on in the process when we started.

If the board is comfortable with the conditional approval based on those outside agency approvals and security you would be in position to issue that.

Mr. Gorres: Does the board have any comments?

They have been working on the project and are three quarters of the way home.

Nate? Your opinion?

Mr. Baum: I would like to see DPW and at least Highway Department give us a full response before moving to a Conditional but that’s just me.

Mr. Gorres: Ok. It looks like we only have four votes.

Mr. Baum: No, I’m just giving my input.

Mr. Gorres: I know what you are saying. That’s ok. That’s fine.

Mr. Gorres: Ok, I’m ok with a conditional, with those conditions.

Mr. VanDemark: Me too.

**MOTION:**

Mr. Gorres made a motion to grant Contingent Final Approval for Newburgh Fuel Distributors project at 16 & 18 Plattekill Ardonia Road with the following conditions:

* Information from SHIPO on the cemetery
* Approval from County DPW
* Comments from the Town Highway Superintendent
* Comments from the NYSDOT
* Ulster County Health Department approvals
* Dedication for lands to the Town of Plattekill for Highway purposes is included

Fees, maps and mylars seconded by Ms. Eisenhardt. All Ayes on the motion

**DISCUSSION:**

Member of the audience, Fredrico Crispino approached Mr. Hines at the table. Mr. Crispino proceeded to have a side conversation with Mr. Hines in regards to the gas station as a majority of the board members spoke amongst themselves.

Mr. Crispino: Just give me a few minutes. I live up on Huckleberry Turnpike and I spoke to Dean about what is going to happen there. I am concerned because you are not seeing the big

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picture. You can end up putting stores there, a warehouse, apartment buildings, multiple housing. What’s that gonna look like down the road?

Mr. Hines: This board is an administrative review board and can only allow and review projects that are allowed in the code. The Town Board is the one that dictates the uses allowed in that zone.

Mr. Gorres: They did the comprehensive plan. I guess that s finalized right? Now they are going to review the Zoning and re-do Zoning.

Mr. VanDeMark: The County sent back a lot of comments.

Mr. Gorres: On the comprehensive plan?

Mr. Hines: This board does not control what’s allowed or were. They can only say. Once the Town Board says what is allowed there this board administratively reviews it, makes sure the environmental codes are reviewed and make sure it complies with the code. We don’t get to say yay or nay on what uses are permitted.

Mr. Gorres: I would pay attention to what’s going on with the Town Comprehensive Plan and updating of Zoning because it terribly needs it.

Mr. VanDeMark: I wish I knew what direction.

Mr. Gorres: I don’t know what they are doing.

The Town Board never does anything the planning board ever wants and never has in the thirty years I have been on here. What you see is what you get from them. We make comments and recommendations and very rarely do they ever act on what we recommend.

Mr. Crispino: Well, it’s really a shame because like I said its gonna look like drama,

Mr. Gorres: Oh, I don’t know. I have seen poor planning in the town of Lloyd, I know what it looks like when it is bad. We can only do what they allow us to do though.

Mr. Castillo: It’s a shame though.

Mr. Gorres: Yes, it is.

Mr. Crispino: I’m trying to look down the road yah know what I’m saying.

Mr. Gorres: That’s the idea the comprehensive plan is supposed to look down the road twenty years. What its gonna look like here, what’s it gonna look like in five years.

*Continuation of side conversation was over spoken in spots by board members conversation.*

**MINUTES:**

*Mr. VanDeMark: One correction I am listed as Vice Chairman. I have not been appointed by the town. I respectably submit that I am listed just as a board member till such time that I am appointed.*

**MOTION:** Mr. Gorres made a motion to accept the January 14, 2025 minutes with corrections with Mr. Baum seconding the motion. All Ayes on the motion.

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**VOUCHERS:**

MHE Engineering Amount: Applicant:

 $225.75 South Street Builders

**MOTION:** Mr. Gorres made a motion to approve the voucher for South Street Builders with Ms. Eisenhardt seconding the motion. All Ayes on the motion.

**MOTION:**

Mr. Baum made a motion to close the meeting with Ms. Eisenhardt seconding the motion. All Ayes on the motion.

The meeting adjourned at 7:37 p.m.

Respectfully submitted by

Janice Stryker, Planning Board Clerk